

FINDINGS OF FACT AND CONCLUSIONS OF LAW

shoulder. Dr. Piazza provided a rating for claimant's impairment and stated there is no effective treatment for this type of chronic problem. He further stated claimant will not be able to return to her regular occupation. Dr. Mills stated that claimant had reached maximum medical improvement.

The Appeals Board has limited jurisdiction when reviewing preliminary hearing orders. The Board may consider only allegations that the Administrative Law Judge has exceeded his or her jurisdiction. K.S.A. 1998 Supp. 44-551. This includes review of the jurisdictional issues listed in K.S.A. 1998 Supp. 44-534a. The issue raised by claimant in this appeal is not, in our view, a jurisdictional issue. For that reason, the Appeals Board finds that it does not have jurisdiction to consider this appeal.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the appeal of the preliminary hearing Order entered by Administrative Law Judge John D. Clark on May 11, 1999, should be, and is hereby, dismissed.

IT IS SO ORDERED.

Dated this ____ day of July 1999.

BOARD MEMBER

c: W. Walter Craig, Wichita, KS
Scott J. Mann, Hutchison, KS
John D. Clark, Administrative Law Judge
Philip S. Harness, Director